

ATTACHMENT 2: Eligible Applicant Documentation

- Is the applicant a local public agency as defined in CWC 10701(a)? Please explain.
 - The Indian Wells Valley Water District is a local public agency that was organized in 1953 in accordance with State of California County Water District Law pursuant to Division 12 of the California Water Code (commencing with Section 30000 et seq.) for the purpose of providing domestic water supplies. The District is empowered to manage water resources and to construct, operate, maintain, repair, and replace water system facilities as needed to provide water service in compliance with applicable standards and regulations.
- What is the statutory or other legal authority under which the applicant was formed and is authorized to operate?
 - The Indian Wells Valley Water District is a County Water District formed pursuant to the County Water District Law, which is found in Division 12 of the California Water Code, commencing with Section 30000.
- Does the applicant have legal authority to enter into a grant agreement with the State of California?
 - The Indian Wells Valley Water District does have the legal authority to enter into a funding contract with the State of California. This legal authority is pursuant to California Water Code section 31020, which allows the District to do any act necessary to furnish sufficient water in the District, for any present or future beneficial use. Furthermore, California Water Code section 31020 provides that the District may cooperate, act in conjunction and contact with the State of California or any agency thereof, municipalities, public and private corporations of any kind, and persons with respect to salvage, control, storage, spreading, distribution, treatment, purification, and recapture of any waters, including sewage and storm water, and the construction of any works, the acquisition of any property, watersheds, watercourses, and underground water supplies, and for the use, operation, management, or control of any public works or property. Additionally, pursuant to Water Code section 31300, the District may borrow money, incur indebtedness, and issue bonds or other evidences of the indebtedness, and may refund or retire any indebtedness or lien against the District or its property.
- Describe any legal agreements among partner agencies and/or organizations that ensure performance of the project and tracking of funds.
 - There is no pending litigation that would have any material impact on the financial condition of the District, the District's ability to operate its facilities, or the District's ability to carry out the proposed project.